



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX01/12

I, JOHN FRANCIS McCORMICK, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 11.160 of the *Civil Aviation Safety Regulations 1998 (CASR 1998)*.

[Signed John F. McCormick]

John F. McCormick
Director of Aviation Safety

16 February 2012

Exemption — maximum take-off weight requirements in aerial application operations

1 Duration

This instrument:

- (a) commences on the day after registration; and
- (b) stops having effect at the end of December 2015.

2 Revocation

Instrument CASA EX38/11 is revoked.

3 Application

This instrument applies to:

- (a) the aircraft mentioned in Schedule 1 and the pilot in command of the aircraft; or
- (b) each pilot in command of an aeroplane mentioned in Schedule 2.

4 Exemption

- (1) The pilot in command of an aeroplane mentioned in Schedule 2 is exempt from compliance with the requirements of regulation 138 of the *Civil Aviation Regulations 1988 (CAR 1988)* to the extent that the regulation requires compliance with the maximum take-off weight contained in a flight manual, a placard or another document, subject to the conditions in Schedule 3.
- (2) A pilot in command of an aeroplane mentioned in Schedule 2 is exempt from the requirements of subregulations 137.190 (1) and (2) of CASR 1998, subject to the conditions in Schedule 3.

- (3) A pilot in command of an aircraft mentioned in Schedule 1 or 2 is exempt from the requirements of subregulations 235 (2A) and (4) of CAR 1988, subject to the conditions in Schedule 3.

Schedule 1 Aircraft

An Australian single engine aeroplane engaged in private, or aerial work, operations and having:

- (a) a certificate of airworthiness in the restricted category; and
- (b) a permanently installed jettison system to allow the pilot in command to jettison in flight the contents of a hopper or vessel permanently installed in the aeroplane.

Schedule 2 Aeroplane

An aeroplane engaged in an application operation as defined in Part 137 of CASR 1998 and having a permanently installed jettison system to allow the pilot in command to jettison in flight the contents of a hopper or vessel permanently installed in the aeroplane.

Schedule 3 Conditions

- 1 The pilot in command of an aeroplane must not commence a take-off if the aeroplane's gross weight exceeds whichever is the highest of the following weights:
 - (a) the maximum gross weight shown in the aeroplane's flight manual; or
 - (b) any maximum gross weight that:
 - (i) has been established for that type of aeroplane by a flight test supervised by CASA; and
 - (ii) is shown on a placard, approved by CASA and displayed in the aeroplane's cockpit; or
 - (c) the maximum gross weight shown on the type certificate, or type certificate data sheet, that is issued for the aeroplane by the national airworthiness authority of the State of Design (within the meaning given in Annex 8 to the Chicago Convention) of the aeroplane.
- 2 The pilot in command must calculate the take-off weight by a method that includes, but is not limited to, calculating the weight of:
 - (a) the crew and any equipment carried; and
 - (b) the aeroplane's fuel and load; and
 - (c) the empty weight of the aircraft as outlined in the current version of the aircraft weight data sheet.
- 3 Despite this exemption, the operator and pilot in command of the aeroplane must comply with any operational or airworthiness limitations, requirements or

conditions expressed in either of the flight manual, type certificate or type certificate data sheet which are relevant at the weight at which the aeroplane is operating.

- 4 If any of the flight manual, type certificate, or type certificate data sheet states that a maximum gross weight is for a particular type of operation or if the aeroplane is in a particular certification category, the aeroplane can only be flown at that weight if the aeroplane is conducting that type of operation or is in that particular certification category.
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